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Attorneys for Plaintiff
FACEBOOK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC.,

Plaintiff,

v.

POWER VENTURES, INC. a Cayman Island
corporation, STEVE VACHANI, an individual;
DOE 1, d/b/a POWER.COM, DOES 2-25,
inclusive,

Defendants.

Case No. 5:08-cv-05780-LHK

**DECLARATION OF I. NEEL
CHATTERJEE IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES**

Dept: Courtroom 8, 4th Floor
Judge: Hon. Judge Lucy H. Koh

I, I. Neel Chatterjee, declare as follows:

1. I am an attorney with the law firm of Goodwin Procter LLP, counsel of record to Facebook, Inc. in the above-captioned matter. I am a member in good standing of the Bar of the States of California. I make this declaration based on my personal knowledge, unless otherwise noted. If called, I can and will testify competently to the matters set forth herein.

2. Pursuant to Civil Local Rule 54-5(b), this declaration accompanies Defendants' Motion for Attorneys' Fees.

3. Facebook contacted Defendants on May 9, 2017 to meet and confer about this motion for attorneys' fees, in accordance with Civil Local Rule 54-5(a) & (b)(1). While Defendant Vachani was willing to discuss the matter by telephone, Power Ventures, while initially agreeing to meet and confer on either May 15 or May 16, 2017, declined thereafter to communicate further with Facebook. Because Power Ventures was unable or unwilling to meet and confer on the dates it had suggested it was available, no conference was held. Facebook sent multiple requests to schedule the meet-and-confer required by Civil Local Rule 54-5. Facebook also communicated all of its positions to both Defendants by email as part of its multiple requests to schedule a meet-and-confer.

4. The tables below reflect the amount of legal fees expended by Facebook, Inc. specifically related to services billed by Goodwin Procter LLP after the Ninth Circuit's December 2016 remand. The total bill comes to [REDACTED], reflecting the various billing rates of the attorneys and paralegal involved from December 2016, through April 2017, including a [REDACTED]. Billings for May 2017 have not been included. Counsel is prepared to produce the billing records for the Court's inspection as the Court deems appropriate.

FEBRUARY 2017

| TIMEKEEPER | RATE | HOURS SPENT | TOTAL AMOUNT BILLED |
|------------------|------------|-------------|---------------------|
| I. N. Chatterjee | [REDACTED] | [REDACTED] | [REDACTED] |
| TOTAL | | | [REDACTED] |

MARCH 2017

| TIMEKEEPER | RATE | HOURS SPENT | TOTAL AMOUNT BILLED |
|-------------------|-------------|--------------------|----------------------------|
| I. N. Chatterjee | ████ | ██ | ████ |
| TOTAL | | | ████ |

APRIL 2017

| TIMEKEEPER | RATE | HOURS SPENT | TOTAL AMOUNT BILLED |
|-------------------|-------------|--------------------|----------------------------|
| I. N. Chatterjee | ████ | ██ | ████ |
| V. Wang | ████ | ██ | ████ |
| M. Leahy | ████ | ██ | ████ |
| TOTAL | | | ████ |

5. Since early in the case, I have overseen this matter and supervised the preparation for supplemental damages briefing as well as the response to Defendants' motion to stay and the various letters in this case. I have participated in every substantive hearing. I am a 1994 graduate of Vanderbilt Law School and am a first-chair intellectual property litigator who has extensive trial experience representing Fortune 500 companies like Facebook. I am very familiar with the customary hourly charges for intellectual property litigators with comparable experience to my own and the other associates and paralegals whose rates are referenced in this Declaration. All of the rates charged by the attorneys and paralegals at Orrick, Herrington & Sutcliffe and Goodwin Procter are, to my knowledge, reflective of the customary rates charged by others of my own and their experience.

6. Victor Wang is an associate at Goodwin Procter LLP who prepared the response to the motion to stay and assisted me in this matter. Mr. Wang is a 2015 graduate of the University of California, Hastings College of Law with experience over approximately two years in complex

1 intellectual property litigation. His rates reflect customary hourly charges for an intellectual
2 property litigator of his experience in the San Jose and San Francisco Bay Area.

3 7. Matt Leahy is a Senior Paralegal at Goodwin Procter LLP with experience in
4 litigation, including trials. His rates reflect the customary hourly charges for a senior paralegal
5 knowledgeable about complex intellectual property litigation with his level of experience in the
6 San Jose and San Francisco Bay Area. I have reviewed the billing records generated by that
7 system, and from those records can attest to the accuracy of the billing figures recited in this
8 Declaration.

9 8. Goodwin maintains its time records through daily time entry application called
10 DTE 2007 and its billing records through billing software called Aderant Expert.

11 I declare under penalty of perjury that the foregoing is true and correct to the best of my
12 knowledge. Executed this 16th day of May, 2017 in Menlo Park, California.

13
14 Dated: May 16, 2017

Respectfully submitted,

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16 By: /s/I. Neel Chatterjee/s/
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20 *Attorneys for Facebook, Inc.*
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